



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

January 19, 2024

Hon. Michael McSweeney
City Clerk and Clerk of the Council
141 Worth Street
New York, NY 10013

Dear Mr. McSweeney,

Pursuant to Section 37 of the New York City Charter, I hereby disapprove Introductory Number 586-A, which amends the New York City Administrative Code in relation to requiring the police department to report on police-civilian investigative encounters.

Introductory Number 586-A would add a new section to the Administrative Code to require the New York Police Department (NYPD) to report the number of level one, level two and level three investigative encounters between police officers and civilians and information about each such encounter on a quarterly basis.

My Administration shares the City Council's interest in police transparency and accountability. Transparency and accountability build trust between police officers and the communities they serve, and lead to safer, fairer and more effective policing. It is in this spirit that the NYPD reports data regarding its administration and operations to the City Council, all of which is publicly available. At present, this data includes detailed information regarding level three encounters between police officers and civilians. Because level two encounters, similar to level three encounters, require suspicion of criminal activity, we have no objection to the requirement in Introductory Number 586-A to report data regarding level two encounters to the public.

The nature of a level one encounter, however, is very different from the nature of a level two or three encounter. While a level two or level three encounter requires suspicion by the officer of criminal activity by the member of the public involved in the encounter, a level one encounter does not require any suspicion of criminal activity. To the contrary, a level one encounter involves an officer requesting information from a member of the public based on any objective credible reason. They are used by officers in order to speak with potential victims, witnesses, and those

who may be in need of assistance. Officers engage in level one encounters when seeking information from local shop owners and residents regarding criminal activity in the neighborhood or when pursuing leads relating to a search for a missing child. A level one encounter would also be used to offer assistance to someone who appears to be in distress. Police officers engage in thousands of level one encounters each day, and millions each year. These encounters with potential witnesses and victims are the bedrock of community policing and are necessary to keep residents and visitors to the City safe.

To comply with the reporting requirements imposed by Introductory Number 586-A, NYPD officers would be required to document detailed information about each level one encounter. The time needed to document each such encounter would be substantial, and in the aggregate, would detract from officers' abilities to engage in law enforcement. The documentation that officers would be required to do for millions of encounters, in situations that are fluid, informal, and fast-moving, would slow down police officers, inevitably compromising public safety.

My Administration has sought to balance the need for transparency regarding City operations in general, and law enforcement activities in particular, against our obligation to create a safe and secure City for all residents, commuters and visitors. We cannot sacrifice the latter goal in furtherance of the former goal.

Accordingly, I hereby disapprove Introductory Number 586-A.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Adams". The signature is fluid and cursive, with the first name "Eric" and the last name "Adams" clearly distinguishable.

Eric Adams
Mayor

Cc: Hon. Adrienne Adams